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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

PAO VANG,  
a/k/a "CLOWNSY,"  
JHOVANNY DELGADO-MARCELO  
a/k/a "JHIO," and  
JOHNNY XIONG,

Defendants.

No. 1:20-cr-00116-JLT-SKO

**STIPULATION and ORDER for  
CONTINUANCE OF STATUS CONFERENCE;  
JOINT STATUS REPORT**

Date: March 6, 2024

Time: 1:00 p.m.

Court: Hon. Sheila K. Oberto

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on March 6, 2024.
2. On January 24, 2024, the government extended plea offers to the defendants. The parties have since conferred extensively about the plea offers and the status of the case. Defense counsel require additional time to discuss the plea offers with their clients. Thus, the parties request the status conference be continued for that purpose.
3. Alternatively, the parties are available to discuss the procedural posture of the case with the court further at the March 6, 2024, status conference. The defendants request to appear in person.
4. By this stipulation, defendant now moves to continue the status conference until June 5,

2024, and to exclude time between March 6, 2024, and June 5, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(ii) [Local Code T4].

5. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes reports, photographs, audio recordings, etc... All of this discovery has been produced directly to counsel and/or made available for inspection. Further, the government recently conveyed plea agreements to the defendants.

b) Counsel for defendants desire additional time to consult with their clients, review the voluminous discovery, conduct independent investigation, and pursue a potential pretrial resolution of the case.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of March 6, 2024 to June 5, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

6. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

1  
2 Dated: February 28, 2024

PHILLIP A. TALBERT  
United States Attorney  
/s/ Kimberly A. Sanchez  
KIMBERLY A. SANCHEZ  
Assistant United States Attorney

5  
6 Dated: February 28, 2024

/s/ Erin Snider  
Attorney for Defendant  
JHOVANNY DELGADO-MARCELO

8  
9 Dated: February 28, 2024

/s/ Robert Lamanuzzi  
Attorney for Defendant  
JOHNNY XIONG

10  
11 Dated: February 28, 2024

/s/ Harry Drandell  
Attorney for Defendant  
PAO VANG

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16 **ORDER**

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18 The status conference scheduled for March 6, 2024, is continued until June 5, 2024, and time is  
19 excluded between March 6, 2024, and June 5, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(ii).

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21 IT IS SO ORDERED.

22  
23  
24 DATED: 2/28/2024

Sheila K. Oberto  
THE HONORABLE SHEILA K. OBERTO  
UNITED STATES MAGISTRATE JUDGE